

IH-32

Rev: 2014-1

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

TREVOR MURRAY

Plaintiff

vs.

UBS SECURITIES, LLC and UBS AG

Defendant

Case Number

14 CV 927

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

TREVOR MURRAY

Plaintiff

vs.

UBS SECURITIES, LLC and UBS AG

Defendant

Case Number

12-CV-5914

IH-32

Rev: 2014-1

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The Court has issued an order compelling arbitration in the earlier filed case, stayed the action pending the resolution of the arbitration, and placed the case on the suspense calendar.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The earlier filed case alleges that Defendants violated 15 U.S.C. § 78u-6(h)(1) because their decision to terminate Plaintiff's employment was motivated, in part, by his making disclosures that are required or protected by Section 806 of the Sarbanes Oxley Act (18 U.S.C. § 1514A).

The newly filed case is related to the earlier filed case because it alleges that, based on the same facts, Defendants also violated (a) 18 U.S.C. § 1514A because their decision to terminate Plaintiff's employment was motivated, in part, by his providing information to his supervisors about conduct that he reasonably believed violated federal laws designed to protect shareholders; and (b) 12 U.S.C. § 5567 because Defendants' decision to terminate Plaintiff's employment was motivated, in part, by his objection to, and refusal to participate in, an "activity, policy, practice, or assigned task that [he] reasonably believed to be in violation of any law, rule, order, standard, or prohibition, subject to the jurisdiction of, or enforceable by" the United States Consumer Financial Protection Bureau. Plaintiff did not allege these causes of action in the earlier filed case because Plaintiff was required to submit those claims to first to the United States Department of Labor, pursuant to 18 U.S.C. § 1514A(b)(1)(A) and 12 U.S.C. § 5567(c)(1)(A), respectively. As explained at Paragraphs 31 and 35 of the newly filed Complaint, the statutory waiting periods have elapsed for both causes of action, and, thus, they may be filed with this Court.

Signature: _____

Date: 2/12/2014

Broach & Stulberg, LLP

Firm: _____